

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1690.01
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	February 15, 2001
DATE OF REPORT:	March 16, 2001
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	June 12, 2001

COMPLAINT ISSUES:

Whether the South Montgomery Community School Corporation and the West Central Indiana Special Education Cooperative violated:

- 511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's individualized education program (IEP) as written, specifically, failing to provide speech therapy as required.

FINDINGS OF FACT:

1. The student (Student) is 10 years old and is eligible for special education and related services as a student with a Learning Disability and a Communication Disorder.
2. The Student is to receive two-20 minute sessions of speech therapy each week.
3. The Complainant states the Student has not received speech/language services since January 3, 2001. However, the SLP's log indicates services were provided on January 8 and 10, 2001.
4. The SLP has been on medical leave since January 12, 2001.
5. On January 22, 2001, the School started inquiring about a replacement for the SLP. A speech/language assistant (SLA), with a Bachelor level license, was secured and began on March 5, 2001. The SLA is supervised by an SLP employed in the school corporation.
6. The interruption of speech services affected 55 students attending 4 schools.
7. The School proposed corrective action for students who have not received speech services and has agreed that compensatory services will be delivered as agreed upon at the case conference committee meeting for each student. However, the School's corrective action refers only to the Student's elementary school.

CONCLUSION:

Findings of Fact #2, #3, #4, and #5 indicate the Student has not received speech therapy services from January 12, 2001 to March 5, 2001. Findings of Fact #6 and #7 reflect that an additional 54 students have experienced the same interruption in speech therapy services. Therefore, a violation of 511 IAC 7-27-7(a) has occurred. Although the school has proposed a plan for corrective action, additional corrective action will be required.

The Department of Education, Division of Special Education requires corrective action based on the Findings of Fact and Conclusion listed above.

CORRECTIVE ACTION:

The South Montgomery Community School Corporation and the West Central Indiana Special Education Cooperative shall:

1. Convene the case conference committee for this student to identify the amount of compensatory speech language services that the student needs and how those services will be provided (length, frequency, duration). Submit a copy of the CCC Report/IEP to the Division no later than April 4, 2001.
2. Review the IEPs of each of the other 54 students to determine the number of minutes of speech therapy each student missed as a result of the SLP's absence. Develop a schedule of how speech therapy services will be provided to each student for the remainder of the school year in order to make up the minutes of speech therapy occasioned by the SLP's absence. The schedule must include when the compensatory speech therapy will be provided, how long each session will be, and who will provide the therapy. The schedule, including the names of each student, shall be submitted to the Division no later than April 4, 2001.
3. Send a letter to the parents of each of the 54 students, advising them of the interruption of services and identifying the schedule for the student's compensatory services. The letter must also inform the parent of the parent's option to convene the case conference committee to discuss the compensatory speech therapy services. The letters are to be mailed to parents no later than April 6, 2001. A copy of the letter and an assurance statement that letters were mailed to the parents by April 6 must be submitted to the Division no later than April 10, 2001.
4. Submit an assurance statement no later than June 11, 2001, that compensatory speech therapy services were provided to each of the students as indicated.